

REMARKS

The Office Action mailed July 27, 2005 has been reviewed and carefully considered. Claims 5-20 are added. Claims 1-20 are pending, the independent claims being 1, 3 and 19. All pre-existing claims are amended. Reconsideration of the above-identified application, as amended and in view of the following remarks, is respectfully requested.

Claims 1-4 stand rejected under 35 U.S.C. 103(a) as unpatentable over U.S. Patent No. 6,321,260 to Takeuchi in view of U.S. Patent No. 6,404,739 to Gonno.

Claim 1 recites:

A method of transmitting data packets over an interface between first and second heterogeneous parts, the method comprising the steps of:
after transmission of the data packets begins, determining, in the first part or interface, a number of data packets being transmitted in a predetermined time; and
reserving, in the second part, sufficient information carrying capacity, corresponding to at least one data packet in excess of the number determined

Takeuchi fails to disclose or suggest the above-quoted aspect of claim 1 for at least the reasons set forth in the appeal brief.

The Office Action cites Gonno to make up the difference.

To proceed with prosecution, claim 1 is now augmented with the trailing phrase, ". . . said transmission occurs in consecutive cycles, said at least one amounting to a quantity that differs depending upon whether said predetermined time is synchronized to said cycles."

Neither reference appears to address the issue of a predetermined time period being synchronized or not being synchronized with a transmission cycle.

For at least this reason, claim 1 is deemed to distinguish patentably over the cited references.

Claim 3 has the same trailing language, and is likewise deemed patentable over the cited references.

The amendments of claims 1 and 3 find support in the specification (e.g., page 3, line 31 - page 4, line 4; page 5, lines 2-9).

New claim 19 is similar to claim 3, and finds support in the same part of the disclosure.

New claims 5 and 12 find support in the specification (e.g., page 1, lines 14-29; page 4, lines 24-27; page 5, lines 1-2).

New claims 6, 7, 13, 14 and 20 find support in the specification (e.g., page 1, lines 23-29; page 4, lines 6-11).


New claims 8-11 and 15-18 find support in the specification (e.g., page 1, lines 16-22; page 5, lines 2-9).

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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